IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE GODA RAGHURAM
WRIT PETITION NO : 6983 of 2003

Between:

1. K. Sreenivasa Rao s/o Amaraiah, Aged: 30 years, Occup: Clerk, Rajupalem PACS, Rajupalem, Khammam district.
2. B. Venkaiah, s[o Israyalu, Aged: 32 years, Occup: Attender, Rajupalem PACS, Rajupalem, Khammam district.
3. N. Nageswara Rao, s/o Subba Rao, Aged: 30 years, Occup: Clerk, Yerrupalem PACS, Yerrupalem, Khamma dist.,

.....
PETITIONERS

AND

1. The Government of A.P., Rep., by its Principal Secretary, Food, Agriculture and Co-operation Department, Secretariat, Hyderabad.
2. The Commissioner for Co-operation, Government of A.P., Hyderabad.
3. The District Co-operative Officer, Khammam, Khammam district.
4. The Divisional Co-op., Officer, Khammam, Khammam district.
5. The Rajupalem PACS, Rajupalem, Khammam district rep., by its Chairman/ Persons-in-Charge Committee.
6. The Yerrupalem PACS, Yerrupalem, Khammam district rep., by its Chairman/Persons-in-charge committee.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 4th respondent in issuing proceedings Rc.No. 139/2003-C dated 15-02-2003 and consequential proceedings dated 24-02-2003 on the file of the respondents 5 and 6 for terminating the service of the petitioners as highly illegal, arbitrary and violative of Articles 14 and 21 of the

Constitution of India apart from contrary to the judgment in Basudeb Tiwary Vs. Sido Kanhu University reported in 1988 AIR SCW 3186 and consequently set aside the same and pass such other order or orders in the interest of justice.

Counsel for the Petitioners: MR.G.V.SHIVAJI

Counsel for the Respondent Nos. 1 to 4.: GP FOR COOPERATION

Counsel for the respondent No. : Mr. P.M. Gopal Rao

The Court Made the Following :

ORAL ORDER:

Learned counsel for the petitioners seeks permission to withdraw the writ petition, as the affidavit filed in support thereof is wholly defective and contains no material particulars warranting grant of any relief sought. The writ petition is, accordingly, dismissed as 'withdrawn' with liberty granted to the petitioners to file a writ petition afresh. All interim orders in this writ petition shall stand dissolved contemporaneously with the dismissal of the writ petition. No costs.

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22-06-2004

To

1.The Principal Secretary, Government of A.P., Food, Agriculture and Co-operation Department, Secretariat, Hyderabad.
2.The Commissioner for Co-operation, Government of A.P., Hyderabad.
3.The District Co-operative Officer, Khammam, Khammam district.
4.The Divisional Co-op., Officer, Khammam, Khammam district.
5.The Rajupalem PACS, Rajupalem, Khammam district rep., by its Chairman/ Persons-in-Charge Committee.
6.The Yerrupalem PACS, Yerrupalem, Khammam district rep., by its Chairman/Persons-in-charge committee.

7. 2 CCs to the learned Government Pleader for Co-operation, High Court Buildings, Hyderabad.
8.2CD copies